

110TH CONGRESS
1ST SESSION

S. _____

To amend the Indian Gaming Regulatory Act to clarify the authority of the National Indian Gaming Commission to regulate class III gaming and to make other technical corrections.

IN THE SENATE OF THE UNITED STATES

Mr. DORGAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Indian Gaming Regulatory Act to clarify the authority of the National Indian Gaming Commission to regulate class III gaming and to make other technical corrections.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Indian Gaming Regu-
5 latory Act Amendments of 2007”.

6 **SEC. 2. POWERS OF COMMISSION.**

7 Section 7(b) of the Indian Gaming Regulatory Act
8 (25 U.S.C. 2706(b)) is amended—

1 (1) in paragraphs (1) and (4), by inserting
2 “and class III gaming” after “class II gaming” each
3 place it appears; and

4 (2) in paragraph (2), by inserting “or class III
5 gaming” after “class II gaming”.

6 **SEC. 3. REGULATION OF CLASS III GAMING.**

7 Section 11(d) of the Indian Gaming Regulatory Act
8 (25 U.S.C. 2710(d)) is amended—

9 (1) in paragraph (3), by adding at the end the
10 following:

11 “(D) TREATMENT OF TRIBAL-STATE COM-
12 PACTS.—

13 “(i) IN GENERAL.—Any Tribal-State
14 compact in effect under subparagraph (B)
15 shall preempt the regulation of class III
16 gaming by the Commission, if the Commis-
17 sion certifies that the regulatory activity
18 required under the Tribal-State compact
19 meets the standards established by the
20 Class III Regulatory Committee under sub-
21 paragraph (E).

22 “(ii) REGULATIONS.—Not later than
23 180 days after the date of enactment of
24 this subparagraph, the Commission, in
25 consultation with Indian tribes, shall pro-

1 mulgate regulations establishing a process
2 for certification for purposes of clause (i).

3 “(E) CLASS III REGULATORY COM-
4 MITTEE.—

5 “(i) ESTABLISHMENT.—Not later
6 than 90 days after the date of enactment
7 of this subparagraph, the Secretary shall
8 establish a committee, to be known as the
9 ‘Class III Regulatory Committee’, to de-
10 velop minimum standards for the regula-
11 tion of class III gaming.

12 “(ii) MEMBERSHIP.—

13 “(I) IN GENERAL.—The Com-
14 mittee shall be composed of at least 5,
15 but not more than 8, members, to be
16 appointed by the Secretary.

17 “(II) QUALIFICATIONS.—

18 “(aa) IN GENERAL.—Each
19 member of the Committee ap-
20 pointed under subclause (I) shall
21 have at least 1 year of experience
22 relating to the regulation of class
23 III gaming.

24 “(bb) WORK EXPERIENCE.—
25 Not less than 3 members of the

1 Committee shall have at least 3
2 years of experience working for
3 an Indian gaming facility.

4 “(III) PROHIBITION.—No mem-
5 ber of the Committee shall be an em-
6 ployee of the Commission.

7 “(iii) FUNDING.—The operating ex-
8 penses of the Committee shall be paid by
9 the Commission.”; and

10 (2) in paragraph (7)(B)(vii), by inserting “by
11 not later than 90 days after the date on which the
12 notification is received,” after “the Secretary shall
13 prescribe,”.